

NATURAL RESOURCES COMMISSION

Meeting Minutes

June 6, 2007

Pursuant to the notice duly filed with the Town Clerk, the meeting of the Natural Resources Commission was held in the First Floor Meeting Room, 141 Keyes Road, Concord, MA at 7:00 p.m. on Wednesday, June 6, 2007. The following Commissioners were present: Chair, Alexander Easterday; Paul E. Feshbach-Meriney; Montgomery Lovejoy; Jamie Bemis; Steve Verrill and Associate Commission Member, George Lewis. Delia Kaye, Natural Resources Administrator; Katie Holden, Natural Resources Assistant Administrator; and Cynthia Gray, Natural Resources Administrative Assistant were also present. Mr. Easterday and Ms. Kaye left the meeting after discussion on the MACC Public Lands Preservation Discussion to attend the Finance Committee public meeting.

OTHER BUSINESS

Playing Fields

Alexander Easterday requested a poll of the Commission Members to reiterate the Commission's support of the playing fields proposed at the CCRHS. Alexander Easterday expressed his support of the playing fields as currently proposed at Town Meeting. Jamie Bemis, Montgomery Lovejoy and Paul Feshbach-Meriney also expressed their support of the playing fields as currently proposed at Town Meeting. Steve Verrill noted that a viable site was needed and the best place to do the playing fields was the site proposed at Town Meeting.

Community Preservation Committee

Steve Verrill moved to elect Jamie Bemis as Community Preservation Committee (CPC) representative effective immediately. Montgomery Lovejoy seconded. All so voted.

The Community Preservation Committee grant application may include Conservation Restriction (CR) baseline documentation and culvert replacement at Fairyland Pond. Commissioners were asked to consider other worthy projects for submittal, as well as sponsors to assist with the grant application process, and report back at the June 20 meeting. The Commission will decide what projects to pursue CPA grants for at a later meeting. The Conservation Restriction Stewardship Committee, through Monty Lovejoy, will prepare the CPC application if the Commission decides to submit this as a project. Application submission deadline is mid-September.

MACC – Public Lands Preservation Act (Article 97/ No-Net-Loss bill)

Delia Kaye presented this article to the Commission. The bill would make it policy of the Commonwealth to approve change in use or disposition of land acquired for natural resource purposes, which is protected by Article 97 of the constitution, only if there is no feasible alternative and if equivalent replacement land is provided, i.e., there is no net loss. The Commission endorses this article. A draft letter will be provided for the next Commission meeting scheduled for June 20, 2007.

Alexander Easterday appointed Paul Feshbach-Meriney to chair the remaining portion of the Commission meeting.

NEW APPLICATIONS

DRISCOLL – 80 Ayrshire Lane / NOI – DEP File #137-934

Seth Donohoe of Acton Survey & Engineering appeared. Seth Donohoe presented an amended plan showing the siltation barrier. Seth stated that all trees would remain, stockpiling located in erosion notes on plan, grading would be minimal, and the area would be hydroseeded.

The Commission discussed making a finding that no determination of wetland resource area boundaries is made with this filing. DNR staff will contact the Health Division to advise them of the wetland delineation status.

Seth Donohoe indicated that he would contact DEP on Thursday to discuss the wetland filing fee and advise them that this project is time critical due to the failed septic system.

This hearing was continued to June 20, 2007.

CLOSE HEARING/ISSUE PERMITS

CAGGIANO - 94 Dalton Road – DEP File #137-922

Montgomery Lovejoy moved to close the hearing. Steve Verrill seconded. All so voted. Monty Lovejoy moved to ratify the Finding as presented. Steve Verrill seconded. All so voted. Montgomery Lovejoy moved to issue a Standard Order of Conditions with Special Conditions 18-37. Jamie Bemis seconded. All so voted.

OTHER BUSINESS (cont)

Ratification of Emergency Certification – Dee Bus Service, Inc.

Steve Verrill moved to ratify the after-the-fact Emergency Certification for Dee Bus Service, Inc. Montgomery Lovejoy seconded. All so voted.

40 Strawberry Hill Road – Proposed Daycare Facility – DEP File #137-899

Katie Holden reported that DEP issued a Superseding Order of Conditions (SOC) on May 18, 2007, confirming the Commission's decision on the Riverfront Area boundaries and the retention basin design. Robert and Susan Sekuler, 64 Strawberry Hill Road, appealed the project to the Division of Administrative Law Appeals

The meeting adjourned at 8:00 p.m.

Respectfully submitted,

Delia Kaye, Natural Resources Administrator

Katherine Holden, Natural Resources Assistant Administrator

Cynthia L. Gray, Natural Resources Administrative Assistant